

Application No.: 10/754,410

### REMARKS

The following claims are pending in the application: 1 – 19

The following claims have been amended: 3, 5-7, 9 and 14-17

The following claims have been deleted: Not applicable

The following claims have been added: Not applicable

As a result of the foregoing Amendment, the following claims remain pending in the application: 1 – 19.

### Double Patenting Rejection

The Examiner has rejected claims 1 – 19 over claims 32 – 54 of US Pat. No. 6,855,950 under the judicially created doctrine of obviousness-type double patenting.

Applicant submits herewith a terminal disclaimer to overcome the Examiner's outstanding rejection of claims 1 – 19 over claims 32 – 54 of U.S. Patent No. 6,855,950 B2. Accordingly, Applicant respectfully submits that the Examiner's outstanding rejection may be properly withdrawn.

### Objection regarding the Drawing

The Examiner has objected to the drawings because there is no description of layer 38 in figure 13.

Applicant respectfully submits that in light of the amendment to paragraph [0097] that the Examiner's outstanding objection may be properly withdrawn.